

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Case No. 5:23-CV-340-D

SOUTHLAND NATIONAL INSURANCE)
CORPORATION in Liquidation; BANKERS LIFE)
INSURANCE COMPANY in Rehabilitation;)
COLORADO BANKERS LIFE INSURANCE)
COMPANY in Rehabilitation; and the SPECIAL)
DEPUTY REHABILITATORS of COLORADO)
BANKERS LIFE INSURANCE COMPANY and)
BANKERS LIFE INSURANCE COMPANY and)
the SPECIAL DEPUTY LIQUIDATORS of)
SOUTHLAND NATIONAL INSURANCE)
CORPORATION, on behalf of both the)
policyholders and creditors of each of these)
insolvent companies,)

Plaintiffs,)

v.)

GREG E. LINDBERG, CHRISTOPHER HERWIG,)
DEVIN SOLOW, ET AL.,)

Defendants.)

JUDGMENT

JUDGMENT AS TO DEFENDANT CHRISTOPHER HERWIG

The Plaintiffs having filed a Complaint and Defendant Christopher Herwig having entered a general appearance; consented to the Court's jurisdiction over Defendant and the subject matter of this action; consented to entry of this Judgment; waived findings of fact and conclusions of law; and waived any right to appeal from this Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant Herwig is liable to Plaintiffs for the claims alleged in the Complaint and shall pay damages to Plaintiffs in an amount of Seventy-Five Thousand Dollars (\$75,000.00).

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent executed by Defendant Herwig is incorporated herein with the same force and effect as if fully set forth herein, and that Plaintiffs and Defendant shall comply with all of the undertakings and agreements set forth therein.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that solely for the purposes of resolving this litigation, the allegations in the complaint are true and admitted by Defendant Herwig, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Defendant under this Judgment or any other judgment, order, consent order, decree or settlement agreement entered in connection with this proceeding, is a non-dischargeable debt of Defendant Herwig because such obligations arise from money that was obtained by false pretenses, a false representation, or actual fraud, as well as for fraud while acting in a fiduciary capacity as defined by 11 U.S.C. §§ 523(a)(2)(A) and (4).

V.


IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain Jurisdiction of this matter for the purposes of enforcing the terms of this

Judgment.

V.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Judgment forthwith and without further notice.

SO ORDERED. This the 20 day of November, 2023.



JAMES C. DEVER III
UNITED STATES DISTRICT JUDGE